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Exhibit H

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

JOHN W. FERRON,

Plaintiff,

Civil Action No. 2:09-cv-520

v.

Judge Frost

WORLD AVENUE HOLDINGS, LLC

Magistrate Judge Abel

WORLD AVENUE USA, LLC, and

MEDIA BREAKAWAY, LLC,

:

Defendants.

DECLARATION OF FIDEL D. DHANA

I, Fidel D. Dhana, of full age, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury as follows:

- 1. I have been the Vice President of Finance and Corporate Controller of World Avenue Holdings, LLC ("Holdings") since the inception of Holdings.
- 2. I make this declaration on behalf of World Avenue Holdings, LLC ("Holdings") for Defendants' Joint Motion to Dismiss Complaint Of John W. Ferron.
- 3. I have first-hand knowledge of Holdings' corporate structure and operational practices and I make this Declaration based upon that knowledge.
- 4. Holdings is a limited liability company formed in 2006 under the laws of the state of Delaware, with its principal place of business in Sunrise, Florida. Holdings is owned by World Avenue Management, Inc., a corporation registered under the laws of the state of Florida.
- 5. Holding wholly owns and is the holding company for TheUseful, LLC ("TheUseful"),

a limited liability operational company registered under the laws of the state of Delaware.

- 6. TheUseful owns, administers, and controls the internet domain name "theuseful.com."
- 7. Holdings wholly owns and is the holding company for World Avenue USA, LLC ("World Avenue"), a limited liability operational company registered under the laws of the state of Delaware.
- 8. Holdings does not engage in any other business activities. Holdings does not control the day-to-day activity of World Avenue. Holdings and World Avenue are separate entities which maintain their own records and exist for different distinct purposes.
- 9. Holdings does not engage directly or indirectly in the sending, authorization or approval of sending of emails concerning or soliciting consumer transactions to Ohio or anywhere else. Holdings does not employ third parties to send emails concerning or soliciting consumer transactions on its, or any other parties' behalf. Holdings does not derive substantial revenue as a direct result of sending email messages concerning or soliciting consumer transactions in Ohio.
- 10. Holdings does not own, use or possess any real estate or other property in Ohio. Holdings does not have employees who operate from Ohio. Holdings does not have a business address in Ohio and it does not transact or conduct business in Ohio. Holdings has never solicited sales or advertised in any Ohio-based publication.
- 11. Holdings neither pays taxes, holds any investments, nor maintain any accounts in Ohio. Holdings does not have a mailing address, post office box, or telephone directory listing in Ohio.
- 12. Holdings has never submitted to jurisdiction in any action before a Ohio

federal or state court and has never knowingly engaged in any tortious activity in Ohio.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Fidel D. Dhana

Dated this 20 day of July 2009